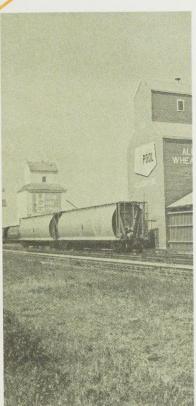
# PROVINCIAL LEGISLATION Pertinent to Agriculture

## **QUEBEC**

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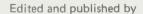


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PROVINCIAL LEGISLATION
Pertinent to Agriculture
QUEBEC
Up to 1975

Compiled by A. R. Jones and Alan Darisse



Communications Unit Economics Branch Agriculture Canada Ottawa K1A OC5

July 1975

**Economics Branch Publication No. 75/16** 



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#### **FOREWORD**

The purpose of this publication is to provide information on the agricultural policies of the Province of Quebec and the laws affecting agriculture enacted by the Provincial Legislature. It is based on the Revised Statutes of Quebec, 1964, and on revisions and amendments in force at the start of 1975.

These summaries are to be used solely for reference and information. The reader is reminded that they have no legal value. The authors have attempted to distil the essence of each piece of legislation. However, when a legal opinion is required, the Statutes themselves must be consulted.

Agriculture Canada appreciates the time and effort generously given by the provincial government in reviewing this publication.

Similar summaries are available for British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, New Brunswick and Newfoundland, and in the federal field (Federal Agricultural Legislation Up To 1975). These are available from the Economics Branch, Agriculture Canada, Sir John Carling Building, Ottawa KIA 0C5.

This summary was compiled by A. R. Jones and Alan Darisse, assisted by Edward Devlin.

J. M. Sabey Director, Administration Division Economics Branch Agriculture Canada Ottawa KIA 0C5

#### CONTRACTOR STATES

## **QUEBEC**

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#### **QUEBEC**

#### I. ADMINISTRATION

AGRICULTURE DEPARTMENT ACT, R.S.Q. 1964, c. 101. Amendments: S.Q. 1965, c. 14 and c. 37; 1968, c. 68; 1969, c. 16, c. 40 and c. 44; 1972, c. 64; and 1973, c. 13

#### Minister of Agriculture

Charges the Minister with the direction and administration of the Department of Agriculture and outlines his duties, powers and responsibilities and those of the Deputy Minister.

The special and general powers of the Minister are described. The Minister may prepare and carry out plans, programs or projects to encourage the recovery or development of agriculture, a better use or conservation of agricultural resources or the setting up, extension, consolidation and modernization of plants to prepare and process agricultural products. An annual fund of \$4,000,000 is established and may be used for guarantees or advances to co-operative agricultural associations or syndicates incor- porated under specified Acts.

#### II. LAND POLICY

### a) Development, Conservation, Drainage and Irrigation

AGRICULTURE AND COLONIZATION ACT, R.S.Q. 1964, c. 101. Amendments: S.Q. 1965, c. 14 and c. 37; 1968 c. 68; 1969, c. 16, c. 40 and c. 44; 1972, c. 64; and 1973 c. 13

#### Minister of Agriculture

Part 27 provides for the execution of drainage works by the Minister. This provision enables the Minister of Agriculture to take charge of all drainage works ordered to be carried out under the municipal code if he is requested to do so by the municipal authority charged with the execution of such work. He may have the work done either under supervision or by contract.

#### b) Colonization

COLONIZATION LAND SALES ACT, R.S.Q. 1964, c. 102. Amendment: S.Q. 1967, c. 41

Minister of Agriculture

Enables the Lieutenant Governor in Council to place the administration and sale of colonization lands under the control of the Minister of Agriculture. The granting of parcels of land is made under conditions fixed by the Act and by Orders in Council. They are subject to conditions of location tickets or the occupation permit given with the grant.

The grantee, being not less than 18 years of age, must put his lot under permanent cultivation, erect buildings and make appropriate improvements to the cultivation of the soil and the raising of livestock. He must also establish his residence on the lot granted. The grant must be cancelled by a decision of the Minister for failure to fulfill or comply with one or more of the conditions. It is only after the fulfillment of all the terms and conditions of the grant that the grantee may obtain from the Minister the letters patent giving him ownership of the lot.

No sale of more than 100 acres may be made to the same person. The exceptions are described. An example of the application form for a land grant is included.

COLONIZATION LAND ACQUISITION ACT, R.S.Q. 1964, c. 103

Minister of Agriculture

Provides for the Minister of Agriculture to acquire territory by purchase or expropriation. The land so acquired is to be used for colonization.

PIONEERING MERIT ACT, R.S.Q. 1964, c. 1947

Minister of Agriculture

Creates the Order of Pioneering Merit to stimulate settlement. It also provides for a variety of awards for services rendered to the progress of colonization.

#### c) Tenure and Assessment

SETTLERS PROTECTION ACT, R.S.Q. 1965, c. 106

Minister of Agriculture

Exempts from seizure, etc., certain land and moveables of settlers, with exceptions.

The exceptions are: the payment of municipal or school taxes, recovery of the price of the land, cost of road work and assessments for the building of churches, parsonages, or cemeteries. This right of exemption from seizure and execution does not extend beyond six years. Within three months after receiving his letters patent, the applicant must select the land for his homestead, not to exceed 100 acres.

The moveables which are not seizable are enumerated. Nothing in this Act exempts a lot on Crown lands from the payment of municipal or school taxes or assessment for church purposes.

#### MUNICIPAL EXEMPTION ACT, R.S.Q. 1964, c. 174

Minister of Municipal Affairs

Section 5 of Part II and Section 6 of Part III of this Act are relevant to agricultural authority. All property belonging to or used especially for exhibition purposes by agricultural and horticultural societies, and lines for the transmission and distribution of electric power of electricity cooperatives formed under the Rural Electrification Act, are exempted from municipal and school taxes.

#### III. FINANCE

#### a) Farm Credit

AN ACT TO PROMOTE THE DEVELOPMENT OF AGRICULTURAL ENTERPRISES, S.Q. 1969, c. 44

Minister of Agriculture

Provides grants of up to \$6,000 for the establishment of young farmers. Three types of grant are permitted: (a) a grant of \$1,000 to aid in the development of a viable farm; the beneficiary is any farmer between the ages of 18 and 40 who is not otherwise excluded by this law; (b) a grant of \$3,000 towards the improvement of land and buildings, restricted to farmers between the ages of 18 and 40 years who are not considered established farmers under this law; (c) a grant of up to \$2,000 towards the enlargement of the farm; the beneficiary is any farmer not otherwise excluded by this Act. The special provisions governing corporations or partnerships or joint operators are described.

No one may obtain a grant more than once and must reimburse the Agricul- tural Credit Bureau when he does not fulfill the prescribed conditions for such a grant. A person may benefit under grants (b) or (c) but not both.

#### AN ACT TO PROMOTE CREDIT TO FARM PRODUCERS, S.Q. 1972, c. 38 Amendment: S.Q. 1974, c. 33

#### Ministry of Agriculture

Facilitates farm loans from banks and credit unions by providing government guarantees on loans made to defray current expenses relating to the production of crops, the purchase of standing crops and raising of certain livestock to a maximum of \$50,000 with a repayment period of not more than 30 months.

The categories of borrowers eligible under this Act are defined. Definitions are given for 'farmer', 'farm operator', 'aspiring farmer', 'cooperative agricultural operations' and 'joint borrowers'. An 'aspiring farmer' means any person not less than 18 and no more than 40 years of age who, being the owner or lessee of a farm, practices farming without making it his principal occupation and undertakes to make it his principal occupation within the time limits and according to the conditions fixed by regulation.

The government loan guarantee may be granted for one or more of the following purposes: (1) to defray current expenses relating to the production of crops; (2) to purchase livestock intended exclusively to produce meat or eggs; (3) to defray current expenses relating to the raising of livestock; (4) to purchase standing crops.

Repayment of the loan by a new loan annuls the right to the guarantee of the government on such new loan. The transfer of a loan to a third person also annuls such right unless it is made with the consent of the lender.

The Lieutenant Governor in Council may by regulation fix the conditions of loans, particularly in regard to the protection of security, and prescribe the documents and information to be filed with the lender and the Quebec Farm Credit Bureau..

The powers of the Bureau and the lenders are prescribed. A borrower who obtains a loan by false statements or false pretenses or uses the proceeds of the loan for purposes other than those for which the loan was obtained is guilty of an offence.

The Quebec Farm Credit Bureau is responsible for the administration of this Act. The types of regulations which the Lieutenant Governor in Council may make are detailed.

#### FARM CREDIT ACT, R.S.Q. 1964, c. 108

#### Minister of Agriculture

Creates the Quebec Farm Credit Bureau and provides authority for making long term loans to farmers.

The Bureau may make a loan to an established farmer and an establishment loan to any person between the ages of 18 and 40 who acquires, for cultivation purposes, an economic farm unit. In the case of established farmers, the loan is limited to 80 percent of the value of the property offered for security; while for the establishment loan, the limit is 90 percent of the value set by the Bureau. This loan cannot be greater than \$40,000 for an individual farmer or \$60,000 for an agricultural corporation or a group of borrowers. This loan cannot be greater than \$40,000 for an individual farmer or \$60,000 for an agricultural corporation or a group of borrowers.

(Finance)

The Bureau may grant an additional loan secured by a pledge of agricultural property up to 70 percent of the value of the property pledged. This loan cannot be greater than \$15,000 for an individual farmer or \$20,000 in the other cases.

The repayment period for the mortgage loan is set at 39 1/2 years. Loans backed by private property must be repaid in 10 years.

Voluntary transfer or renting for more than a year is not permitted unless authorized by the Bureau. The restrictions covering corporations and associations are specified.

The Lieutenant Governor in Council may establish an advisory committee to assist the Bureau. Its functions are described.

#### FARM IMPROVEMENT ACT, R.S.O. 1964, c. 109

#### Quebec Farm Credit Bureau

Facilitates borrowing by farmers from banks or credit unions through subsidization of interest rates.

This Act authorizes the government to reimburse a sum equal to three percent of interest due on any loan not exceeding \$15,000 for the following purposes: (1) for the purchase of livestock; (2) for the purchase of farm implements and machinery; (3) for farm improvements; (4) for the erection of or improvement of buildings; (5) for the purchase of farm equipment; (6) for a drinking water-supply system or improvement thereof; (7) for the installation or improvement of electric wiring; (8) for the purchase of a quota base and quotas.

The government guarantees the reimbursement of a certain part of the losses resulting from loans covered by this Act. The borrower whose default has entailed such repayment by the government is no longer entitled to repayment of interest on any other loan that he has contracted.

The duration of a loan cannot exceed 10 years. The borrower may be an individual, corporation or agricultural association. The restrictions governing agricultural corporations and agricultural associations are described.

#### FARM LOAN ACT, P.S.Q. 1964, c. 111

#### Minister of Finance

Enables the provincial government to assume a portion of the debt and to subsidize the interest rate paid by farmers on loans from the Farm Loan Board, the Farm Credit Corporation and the Veterans' Land Act. value set by the Bureau.

The Lieutenant Governor in Council may authorize the Quebec Farm Credit Bureau (a) to pay to Quebec farmers on the mortgage loan granted by the Farm Credit Corporation, or the Canadian Farm Loan Board, the difference between the annual interest rate of 2 1/2 percent and that due the Corporation on the loan, not exceeding \$15,000; (b) to assume, up to a maximum of \$3,000, one-third of the debt to the Farm

(Finance)

Credit Corporation of a borrower who has made a loan similar to an establishment loan of the Bureau; (c) to pay, on the loans granted to veterans considered as full time farmers under Part III of the Veterans' Land Act, the difference between the annual interest of 2 1/2 percent and that due on these loans.

FAMILY HOUSING ACT, R.S.Q. 19644, c. 110. Amendments: S.Q. 1965, c. 41 and 1967, c. 43

Designated Member of the Executive Council

Authorizes the provincial government to guarantee and to pay a portion of the interest rate on loans made for the building of new dwellings by a credit union or loan society, providing the interest rate does not exceed rates specified in this Act.

#### b) Income Assistance

CROP INSURANCE ACT, 1974, S.Q. 1974, C. 31

Minister of Agriculture

Establishes two crop insurance coverage plans: a collective plan and an individual plan with respect to mixed farming crops.

Any producer eligible under the collective plan, and any poultry farmer or hog raiser, has the option of insuring the mixed-farming crop he chooses to protect. The insurance will guarantee up to 80 percent of the average yield declared by the producer and accepted by the Board. Under the individual plan, appraisals are conducted on an individual basis on the farm concerned, to establish the actual yield of the insured crops and the amount of the indemnity to be paid. Under this plan, the insurance does not cover pastures.

The mixed-farming crops must be insured each year by the Board under the collective plan and must be insurable, optionally, under the individual plan. The rate of assessment payable by the producers must be fixed annually and must be uniform within each agricultural zone for each category of crops. The Board must confirm the eligibility of a producer by issuing an insurance certificate within 30 days after the date of registration. If the Board decides that a producer is not eligible under the collective plan, it must inform him of that fact and give him the grounds for its refusal.

The Act charges producers' marketing boards with the responsibility for collecting the assessment of each of the producers entered on its register or file and eligible under the collective plan. For the purposes of computing the amount of the insurable value of the producer, the Board must determine the yield allowed to him for each category of crop. To determine, in a zone, if a category of crop has sustained a loss in yield that may be indem-nified, the Board must make a collective appraisal each year. Every producer eligible for insurance under the collective plan, every poultry farmer and every producer specializing in hog raising, may insure his crops on an individual plan, providing he has, to the satisfaction of the Board, the plan of his farm, precise data on the average yields of his crops and any other data prescribed by regulation.

Under certain conditions the Board may insure commercial crops against losses in yield and against reduction in quality.

Remaining sections cover rules governing appeals, the establishment of the insurance fund, and agreements and regulations.

#### IV. PRODUCTION

#### a) General

#### AGRICULTURAL ABUSES ACT, R.S.Q. 1964, c. 130

Minister of Agriculture

Deals with a variety of abuses affecting agriculture.

This Act forbids trespass and permits the property owner to arrest the trespasser without a warrant. Also prohibits the damaging of another person's property. Other provisions relate to the disposal of drift wood; the responsibility of owners or occupiers of lands to destroy noxious weeds; the mechanism for destroying weeds and charging the expenses against the owner; and the laws regarding dogs wandering at large without tags.

Municipalities are responsible for the damage caused by dogs to sheep or other farm animals within their territory. For this purpose municipalities must create a special fund through levying an annual tax on each dog within their territory.

It is lawful to kill, off its master's property, a dog that pursues and strangles sheep. A person may demand that the owner segregate any animals infected with a contagious disease. The owner may be fined if he fails to comply with the notice.

HIGHWAY CODE, R.S.Q. 1964, c. 231

Designated Member of the Executive Council

Section Il provides for the exemption from registration of a farm tractor owned by a farmer and employed exclusively on a farm. All machinery and farm equipment owned by a farmer who derives his livelihood from his farm is also exempt from registration, with the exception of tractors and tow trucks with loading apparatus which travel on public roads.

#### b) Crops

PLANT PROTECTION ACT, R.S.Q. 1964, c. 129

Minister of Agriculture

Provides for the prevention and control of harmful insects and of plant diseases through an administrative system of inspections, certificates, quarantines and permits for nursery gardeners and their agents.

This Act provides for the appointment of an entomologist to supervise the carrying out of its provisions. A permit is required to operate a nursery in Quebec. The seller of nursery products must also obtain a permit from the entomologist. The owner or occupant of any land, nursery, field, garden or orchard must report to the Minister the existence of insects or plant diseases to prevent any epidemic.

(Production)

Plants that are attacked by the destructive insects or plant diseases specified in the Act cannot be transported without a certificate from the entomologist. In the case of an epidemic in a region, a quarantine can be imposed by Order in Council. Imported nursery products from another province must carry a Fumigation Certificate or a certificate stating that they are free from insects and plant diseases. No compensation is given for expenses incurred or damages suffered as a result of the instructions given or the work of eradication done by the entomologist acting under this Act.

The Lieutenant Governor in Council is empowered to add to the list of specified destructive insects and plant diseases which are subject to the provisions of this Act.

BEACH HAY ACT, R.S.Q. 1964, c. 131

Designated Member of the Executive Council

The owners of lands bordering the south shore of the St. Lawrence River below the City of Quebec have the right to cut the grass on the beaches between high and low water marks along the front of the parcels of land, to the exclusion of all other persons. No person may permit livestock to run at large in the summer or autumn on these beaches.

#### c) Livestock

ANIMAL HEALTH PROTECTION ACT, R.S.Q. 1964, c. 126. Amendments: S.Q. 1969 c. 42 and 1973, c. 26

Minister of Agriculture

Provides the mechanisms for the prevention and eradication of designated contagious diseases and animal parasites. It also provides for the inspection of stallions and for the control of artificial insemination activities.

The Lieutenant Governor in Council is empowered to prescribe the required sanitary measures for the prevention of diseases among animals. An inspection system is provided for and the powers of the inspectors are described.

It is forbidden to bring or allow animals to be brought into the Province unless they are accompanied by a certificate from a veterinary-in-chief or other competent officer of the Province, or of the country of origin, attesting that the animals are free from disease. It is forbidden to sell at auction any infirm or incurable animal or one exhibiting visible symptoms of sickness. It is unlawful to sell at auction animals not accompanied by a health certificate from an inspector attesting that the animals are exempt from a contagious or parasitic disease.

Part II makes provision for the appointment of a Stallion Inspection Board and provides for stallion inspectors. The responsibilities of the Board and of the owners of stallions are described.

Part III applies to artificial insemination of animals. A permit must be obtained from the Minister of Agriculture to take, deliver or trade in semen or to artificially inseminate an animal. A veterinary surgeon is exempt from this provision, as is a breeder artificially inseminating his own animals.

The Lieutenant Governor in Council may make regulations (a) to fix standards for occupying, organizing and managing any plant operated by a registrant for the purposes intended by the Act; (b) to determine the methods to be followed in artificial insemination, and (c) to prescribe the books and records that must be kept by any permit holder, and the reports that must be made to the Minister.

#### THOROUGHBRED CATTLE ACT, R.S.Q. 1964, c. 127

#### Minister of Agriculture

Imposes sanctions against any owner or guardian of a bull who does not keep the bull in an area where it cannot escape.

The owner of a cow impregnated by an unconfined bull is entitled to recover, from the owner or person in charge of the bull, all damages resulting therefrom.

This Act has effect only within the boundaries of a municipality whose council has passed a bylaw to the effect that it shall apply in such municipality.

#### BEES ACT, R.S.Q. 1964, c. 128

#### Minister of Agriculture

Provides for the control of the contagious diseases of bees.

Part I contains the provisions governing the prevention and treatment of contagious diseases in bees. Part II covers the protection of bees and Part III protection against bees.

The Act permits the Minister to have bee hives inspected. Any case of contagious disease must be reported to the Minister. The Minister in turn must have the bee hive isolated or destroyed and the owner must be compen- sated. The importation of bees or used bee-keeping material must be accompanies by a recognized health certificate.

Queen bees raised in Quebec cannot be sold until a health certificate is issued declaring them to be healthy and free from contagious disease. The Act forbids the spraying of fruit trees in bloom with substances harmful to bees. The hives must be placed 30 feet from a public road in a rural municipality and 15 feet from a road in a town or village.

#### V. MARKETING

#### AGRICULTURAL PRODUCTS AND FOOD ACT, R.S.Q. 1964, Amendment: S.Q. 1974, c. 41

#### Minister of Agriculture

Prohibits the distribution, for purposes of sale, of unwholesome products, products from unwholesome sources, or products not meeting the required standards of quality. It also requires that any person engaged in the preparation, conditioning, processing or sale of a product register with the Minister of Agriculture.

The operator of a slaughterhouse, of a plant for dismembering dead animals or of a plant for the preparation, conditioning or processing of meat or meat products intended for human consumption, must hold a permit. This Act does not apply to dairy products or substitutes within the meaning of the Dairy Products and Dairy Products Substitutes Act. It applies to fishery products only from the time they enter the wholesale market. An agricultural product is defined as a foodstuff of vegetable or animal origin and a food as anything which may be used to feed man or animals, including beverages other than alcoholic beverages.

Part II sets down the general requirements of this Act, and Part III sets down the specific requirements concerning registration and permits. The powers of the Minister concerning suspension, cancellation and renewal of permits are described in Part IV. Appeal procedures are outlined.

Part V covers inspections and seizures. The Minister may, by order, establish stations for the inspection or classification of products and prescribe their terms and conditions of operation. He also may order that every product be inspected or classified, according to the standards fixed by regulation. Inspectors may be appointed to carry out the provisions of the Act and they have the powers of entry and search, seizure and confiscation.

It is forbidden to hinder the work of an authorized person in the exer- cise of his duties, to mislead him or to attempt to do so, or to neglect or refuse to obey him. The Lieutenant Governor is authorized to make the necessary regulations to carry out the intent and purpose of this Act.

#### FARM PRODUCTS MARKETING ACT, S.Q. 1974, Bill No. 12

#### Minister of Agriculture

Replaces the Agricultural Marketing Act (Revised Statutes, 1964, Chapter 120). Gives producers and consumers an orderly and fair supplementary means for marketing farm products. Not to be interpreted as competing with co-operative organization of production and marketing of farm products. Part II deals with the constitution, composition, object and administration of the Quebec Agricultural Marketing Board.

The Lieutenant Governor in Council may constitute advisory committees to advise the Board on special matters relating to the production or marketing of farm products.

Part IV deals with the formation and approval of amendments to and management of joint plans for the marketing of a farm product. Ten or more interested producers may apply to the Board for approval of a joint plan for the marketing of a farm product. The application must be accompanied by a draft of the proposed joint plan and indicate the reasons for esta- blishing the joint plan. Article 19 lists the kinds of information required in the joint plan. To come into force a plan must be approved by not less than two-thirds of the producers who have voted. At least half of the interested producers must have voted. When a referendum is deemed inadvisable, the Board may forward the plan along with its recommendations to the Lieutenant Governor in Council.

A general meeting of producers, duly called for such purpose, may by bylaw (a) replace the body entrusted with implementing the joint plan; (b) replace a negotiating agent or the sales agent; (c) amend the powers, duties and attributes of such agent and the powers, duties and attributes of the producers' board.

A joint plan and a bylaw do not apply to sales made by a producer directly to a consumer. However, if such sales seriously affect the plan, a board is authorized to take appropriate action.

Part V contains the general powers and certain duties of the producers' board entrusted with implementing and administering a joint plan, while Part VI deals with general or special meetings of the producers.

Part VII deals with the amalgamation of producers' boards entrusted with implementing and administering a joint plan. Part VIII deals with the certification by the Board of associations of persons bound by a joint plan, to enable such an association to represent such persons in dealing with producers in respect of certain purposes specified by the Act or, as the case may be, by the Board.

Part IX contains provisions concerning the conciliation and arbitration of disputes between producers and buyers of farm products or other persons subject to the joint plan. Part X deals, in particular, with the power of the producers' board to regulate in respect of the marketing of farm products to which a joint plan applies.

Part XI provides the authority under which the Lieutenant Governor in Council may authorize or compel the Board to conclude agreements, by itself or jointly with the producers' board, with the Government of Canada or another province or a body of such government. Part XII prescribes the contribution to be paid by the producers to cover expenses incurred for the administration of a joint plan and the implementation of its bylaws.

Parts XIII and XIV describe the powers of the Board in respect of the suspension of a joint plan, or a regulation, or a bylaw or one of its provisions, as well as certain other powers in respect of the marketing of a farm product. In addition this Act contains provisions concerning inqui- ries of the Board, winding up of a body entrusted with the administration of a joint plan, seizures, offences and penalties.

AN ACT TO PROMOTE THE DEVELOPMENT AND MODERNIZATION OF REGIONAL DAIRIES S.Q. 1969, c. 46

#### Minister of Agriculture

Provides the Minister with the authority to support the development and modernization of regional dairies through guarantee of loans and payment of part of the principal.

With the authorization of the Lieutenant Governor in Council and the advice of the Quebec Agricultural Marketing Board, the Minister may (a) guarantee the repayment in whole or in part of the amount of the principal and interest on any loan made for the above purpose; and (b) undertake to pay an amount equal to four percent of the principal during the five years following the day the guarantee was granted.

Applicants must provide information such as the development and modernization program, the means of carrying out the plan, the region where the factory is situated and the needs of the producer-suppliers that will be met, or advising the Minister that the Board must hold a public hearing.

DAIRY PRODUCTS AND DAIRY PRODUCTS SUBSTITUTES ACT, S.Q. 1969, c. 45 Amendment: S.Q. 1972, c. 55

#### Minister of Agriculture

Provides the Minister with the administrative authority to regulate trading in and manufacture of dairy products, transportation and distribution of milk and cream, contracts respecting dairy products and the manufacture and sale of dairy substitutes.

This Act replaces the Dairy Products Act, the Milk and Cream Price Act and the Dairy Products Substitute Act.

Parts II and III set down the permit requirements of the Quebec Agricultural Marketing Board, with the goal of ensuring the orderly marketing of milk and safeguarding the interests of producers, milk dealers, distributors and consumers. The Act gives the Board the power to (1) establish production and sale quotas; (2) prescribe purchase standards, transportation standards, processing and distribution standards, and (3) to fix prices for milk and dairy products to facilitate compliance with Board orders. The Act prohibits all agreements between producers and milk dealers that do not have the approval of the Board. The Board may guarantee the payment of sums due to the producers for the delivery of milk by means of the Quebec Deposit and Investment Fund. Each milk dealer must hold a Guarantee Policy issued by the Board.

The application of the Act, of orders and regulations, as well as the investigation and pursuit of infractions, are ensured by a double system of inspections by the Board and by the Department of Agriculture. The powers of the inspectors regarding access, arrest, seizure and confiscation are described. Part X to XIII cover investigations, inspections, penalties and evidence, respectively.

Part VI sets down the requirements for dairy substitutes. Every substitute must meet the standards of composition, colour, quality, shape and presentation fixed by the regulation, and the container, package or wrapping which contains it must bear an indication of the name, origin, quantity, and composition of the product.

#### VI. AGRICULTURAL SOCIETIES AND EDUCATION

#### AGRICULTURAL SOCIETIES ACT, R.S.Q. 1964, c. 112

#### Minister of Agriculture

Provides for the incorporation of various types of agricultural societies and regulates their operation.

There are provisions governing county and district societies and for the union of societies. Farmers' clubs may also be organized into agricultural societies.

The minimum number of people required for the creation of a county or district agricultural society is 50. The exceptions are listed. Member- ship requirements are set down. Inquiries regarding the forming of an agricultural society should be addressed to the Minister. If several agricultural societies exist in the same

district, they may, with the approval of the Minister, form a district society. If there is no district society, 100 people can form one with the approval of the Lieutenant Governor in Council. The Minister has the power to amalgamate several agricultural societies in the same county.

The Act sets forth the constitution of societies, the powers and duties of directors and officers, and the size of provincial grants to a society. A society may acquire and own land as a site for exhibitions, or for a school of agriculture or a model farm. A society may, with the approval of the Minister of Agriculture and Colonization, contract loans not exceeding \$7,000 at any one time, and use its fixed assets as security for this purpose. The requirements for holding agricultural exhibitions are enumerated.

Part IV covers the purposes of agricultural societies and their methods of funding. The objects are to encourage the improvement of agriculture, horticulture, silviculture, mechanics, manufacturing, domestic industry and works of art, by holding meetings for discussion or lectures, promoting the circulation of agricultural papers, offering prizes for essays on theoretical or practical agriculture, importing animals of superior breeds and new varieties of plants, greens and seeds, organizing plowing matches and crop and cultivation competitions, and by holding exhibitions.

Bi-annual exhibitions must be held, with certain exceptions. A society must also present an annual report and a program of its operations to the Minister.

Each corporation has the right to receive a subsidy equal to twice the amount subscribed and paid by its members. To get this amount, at least 50 members must have subscribed and paid a total of \$100. A subsidy to a society cannot exceed \$800. In cities or towns the maximum grant may not exceed \$400.

#### BUTTER AND CHEESE SOCIETIES ACT, R.S.Q. 1964, c. 125

#### Minister of Agriculture

Provides for the incorporation of butter and cheese societies, sets down their general powers and duties and provides sanctions for selling milk of bad quality to manufacturers of butter and cheese.

Five or more people may form a society by signing a memorandum of association and filing it with the Superior Court in the district where the society intends to do business. The certificate issued must be registered at the registry office. The society has the powers of an ordinary corporation. It must file an annual report with the Minister. Actions against those selling milk of bad quality to manufacturers may be instituted before any civil court having jurisdiction.

#### FARMERS' CLUBS ACT, R.S.Q. 1964, c. 113

#### Minister of Agriculture

Enables the formation and operation of farmers' clubs with purposes and powers the same as those of agricultural societies.

There may not be more than one club in any parish or more than one club in each municipality in a township. The consent of the Minister is required to establish a farmers' club.

A farmers' club may be formed by at least 25 members in any parish. These clubs may have the same objectives as agricultural societies and they may engage in the same activities as an agricultural society. Nevertheless no club may alone hold a fall exhibition such as is ordinarily held by agricultural societies. Any farmers' club may have animals of improved breed sold by a person who has no licence, and without paying the duties required by law, provided the purchasers undertake to keep such animals within the territory of the club and abide by its conditions.

The Act deals with the constitutions of clubs, election of directors, finances and similar matters. The Minister is authorized to make certain grants to a farmers' club. No annual or additional grant may be given to a club unless at least 25 members have subscribed and paid \$30 each to its treasurer.

#### FARM PRODUCERS ACT, S.Q. 1972, c. 37

#### Minister of Agriculture

Creates the mechanism that permits certification of an association by the Quebec Agricultural Marketing Board, provided the association represents the majority of agricultural producers. Only one association in the province may be certified.

The Act provides the authority whereby a certified association may establish, levy, receive and redistribute assessments on all agricultural producers and receive obligatory contributions from federations and from syndicates collected by the boards. The rights, powers and duties of a certified association are set down.

To be certified as the one provincial association, at least 60 percent of the producers must vote in a referendum ordered by the Board. At least two-thirds of the producers who have voted must answer in the affirmative for the association to be certified. The certification remains in effect until there is a revocation. The Board, after giving it an opportunity to be heard, must revoke the certification of an association which no longer has the necessary representative character.

The bylaws of an association that applies for certification must prescribe the conditions under which federations and specialized federations may be affiliated. Appeal rights are described.

The amount of assessments and methods of collecting them are set down in Sections 32-42. The Board possesses the rights of inquest and inspection in all matters arising from the application of this Act. The Board may arbitrate, decide, conciliate or settle any dispute arising between persons or bodies engaged in the marketing of a farm product if the dispute relates to any of the matters specified in Part XI.

#### HORTICULTURAL SOCIETIES ACT, R.S.Q. 1964, c. 114

#### Minister of Agriculture

Enables incorporation of horticultural, apple and fruit growing societies in the province of Quebec and sets down rules governing their establishment and operation.

A Society may pass bylaws that prescribe the method of admission of new members and the election of officers, and that regulate generally the administration of its affairs and property. A minimum of 25 persons is

required to organize a horticultural society, and a minimum of 40 members is required to organize an apple and fruit growing society.

Requirements regarding meetings, elections, annual reports and place of business are described. The amount of provincial grants and the conditions for receiving a grant are detailed. Memorandum of association forms are attached.

#### FARMERS' AND DAIRYMEN'S ASSOCIATIONS ACT, R.S.Q. 1964, c. 116

#### Minister of Agriculture

Provides for the incorporation of farmers' and dairymen's associations, and sets down their operating requirements.

A minimum of 10 members is required. The Act sets down minimum membership fees. Annual reports must be filed with the Minister of Agriculture and Colonization and the Quebec Agricultural Marketing Board. A sample of the required memorandum of association is attached.

#### AGRICULTURAL MERIT ACT, R.S.Q. 1964, c. 132

#### Minister of Agriculture

Institutes the order of Agricultural Merit of the Province of Quebec for the purpose of encouraging agriculture by honors and rewards, and to acknowledge services rendered to agriculture.

The Act lists the various types of declarations and diplomas that may be awarded by the Lieutenant Governor in Council. Competitions must be held each year in the Province. The Lieutenant Governor in Council is empowered to make regulations necessary for carrying out the purposes of the Act.

#### AGRONOMISTS ACT, R.S.Q. 1964, c. 260

Permits the organization and establishment of an Agronomists Association in the Province.

The Act prescribes the powers of both the provincial and the district associations and lists requirements for admission to the practice of agronomy. No person may assume the title of agronomist or practice agronomy in the Province unless he is a member of this professional association.

#### DAIRY AND AGRICULTURAL SCHOOLS ACT, R.S.Q. 1964, c. 117

Minister of Agriculture

Provides the authority under which the Minister of Agriculture and Colonization may establish and maintain the provincial dairy school. It also provides for intermediate agricultural schools.

The Minister is empowered to purchase or lease land and to rent the necessary buildings, and he is empowered to make the necessary regulations to carry out the purpose of this Act.

STOCK-BREEDING SYNDICATES ACT, R.S.Q. 1964, c. 115

Minister of Agriculture

Authorizes the formation of stock-breeding syndicates and establishes the requirements for their operation.

Each syndicate is in the nature of a joint stock company, the liability of its members or shareholders being limited to the amount of their respective investments.

The object of the syndicate is the breeding and improvement of farm stock. The activities of the syndicate are described.

At least ten associates are required to form a stock-breeding syndicate. It must hold a general annual meeting. The property of the syndicate is exempt from all government taxes. If the syndicate ceases to own stock for breeding purposes and to comply with the Act's requirements the Minister may dissolve it. A copy of an application form is provided.

#### VII. CO-OPERATIVES

CO-OPERATIVE AGRICULTURAL ASSOCIATIONS ACT, R.S.Q. 1964, c. 124 Amendments: S.Q. 1966-67, c. 72 and c. 82

Minister of Financial Institutions, Companies and Co-operatives

Permits the formation of co-operative societies and prescribes their requirements.

A co-operative must have one or more of the following objects: (1) the improvement and development of Agriculture; (2) the encouragement of the marketing of Agricultural products; and (3) the purchasing and sale of material and services of use in agriculture.

No co-operative society may be constituted without a minimum of 25 shareholders. To become a shareholder a producer must: (a) purchase a minimum of five common shares or more than five shares as determined by regulation; (b) commit himself by contract for a period of at least three years to deliver, sell, buy, or receive certain products or services through the co-operative society; and (c) be accepted by the executive council. No one can, however, become a shareholder if his business is in competition with that of the society.

The role, functions and powers of the Executive council are described.

The Minister may have one of his employees examine the books and accounts of a co-operative agricultural association that receives a subsidy or assistance from the government.

All the property of a co-operative agricultural association is exempt from government taxes. Other sections relate to the liquidation of a co-operative agricultural association. Samples of the required forms are attached.

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